

EXHIBIT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS WHITFIELD,

Defendant.

No. CR 07-0366 VRW

**DECLARATION OF PAROLE
AGENT STEVE PARKER
IN SUPPORT OF THE UNITED
STATES' OPPOSITION TO
DEFENDANT'S MOTION TO SUPPRESS
PHYSICAL EVIDENCE**

Hearing: August 28, 2007
Time: 10:30 a.m.
Court: Hon. Vaughn R. Walker

I, Steve Parker, do hereby declare:

1. I have been employed by the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, since 1987. I have three years experience as an Institution Parole Agent and three years of experience as a Field Parole Agent.
2. I have been Marcus Whitfield's Parole Agent since February of 2007.
3. On January 24, 2003, Marcus Whitfield was convicted as a juvenile and committed to the

1 California Youth Authority for 8 years for the following offenses: (1) Minor in
2 Possession of a Concealed Firearm, California Penal Code, Section 245; (2) Escape from
3 a County Facility with Force, Welfare and Institution Code, Section 871 (b) and (3)
4 Assault with Intent to Inflict Bodily Harm on a Peace officer, California Penal Code,
5 Section 245 (c) .
6

- 7 4. In addition to these charges, Whitfield's prior sustained juvenile petitions were
8 aggregated and factored into Whitfield's conviction of 8 years on January 24, 2003. The
9 prior sustained petitions were for the following offenses: (1) Resisting Arrest, California
10 Penal Code, Section 148 (a); (2) Assault against a Peace Officer, California Penal Code,
11 Section 241 (b); and (3) Accessory, California Penal Code, Section 32.
12

- 13 5. On February 25, 2003, Marcus Whitfield started his 8 years confinement at the California
14 Youth Authority. After serving two years in the California Youth Authority, Whitfield
15 was paroled on December 1, 2005. Whitfield is currently on parole until March 21,
16 2010.
17

- 18 6. After he was paroled on December 1, 2005, Marcus Whitfield's home address was 463
19 Wooster, Apt #7, San Jose, California. Marcus Whitfield lived at this address with his
20 father, Eddie Whitfield.
21

- 22 7. On March 28, 2006, Marcus Whitfield was arrested by the San Francisco Police
23 Department for Possession of Cocaine for Sale, in violation of California Health and
24 Safety Code, Section 11351, and Possession of Concentrated Cannabis, in violation of
25 California Health and Safety Code, Section 11357 (a).
26

- 27 8. On June 1, 2006, in the San Francisco County Superior Court, Marcus Whitfield pled
28 guilty to Possession of a Controlled Substance for Sale or Purchase, a felony under

1 Section 11351 of the California Health and Safety Code.

2 9. On June 22, 2006, in the San Francisco County Superior Court, Marcus Whitfield was
3 sentenced to 82 days county jail, time considered served and three years probation. At the
4 time of this sentence, Marcus Whitfield was 21 years old and was charged as an adult.

5
6 10. On June 26, 2007, Whitfield was transferred to the custody of the California Youth
7 Authority and remained in custody for five months for a parole revocation.

8 11. On November 8, 2006, after serving five months in the California Youth Authority,
9 Whitfield was released. Upon his release from custody, Whitfield reported to the Parole
10 Board that his home address was going to be 943 Drake Avenue, Sausalito, California.

11
12 12. As a condition of Marcus Whitfield's parole was a warrantless search condition which
13 stated, "You and your residence and any property under your control may be searched
14 without a warrant by a parole agent of the Department of the Youth Authority, parole
15 agent of the Youthful Offender Parole Board or any peace officer." On November 7,
16 2006, Marcus Whitfield was informed of the warrantless search provision and he signed a
17 copy of the Conditions of Parole stating the warrantless search provision.

18
19 13. Marcus Whitfield's Conditions of Parole also stated, "You must provide your correct
20 address when requested by a peace officer."

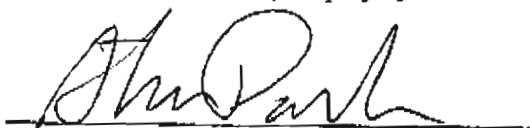
21
22 14. Home visits were conducted at Marcus Whitfield's address at 943 Drake Avenue,
23 Sausalito, California on the following dates: (1) November 8, 2008; (2) November 15,
24 2006; and (3) November 22, 2006. Present for the home visits were Marcus Whitfield and
25 his girlfriend, Cavia Daniels.

26
27 15. On the following dates, the Parole Department had the following telephone contacts with
28 Marcus Whitfield: December 21, 2006, December 22, 2006, January 5, 2006, January 23,

2006 and January 26, 2006.

16. On February 15, 2007, I met Marcus Whitfield for the first time as his Parole Agent at 943 Drake Avenue, Sausalito, California. Present were Marcus Whitfield and his girlfriend, Cavia Daniels.
17. On April 9, 2007, I again went to 943 Drake Avenue, Sausalito, California, and discovered that Marcus Whitfield no longer lived at that this address. Upon learning that Whitfield no longer resided at 943 Drake Avenue in Sausalito, I contacted Marcus Whitfield on his cell phone. I asked Whitfield why he did not inform me of a change of address for his home residence and Whitfield replied, "Oh, I thought I told you that I moved to 967 Drake."
18. On April 9, 2006, I updated Whitfield's Parole records to reflect a change in his home address to 967 Drake Avenue, Sausalito, California.
19. I was not aware that Marcus Whitfield had changed his home address from 943 Drake to 967 Drake Avenue, Sausalito, California, until I conducted a home visit at 943 Drake Avenue on April 9, 2007, and discovered Marcus Whitfield no longer lived at 943 Drake Avenue.

I declare under penalty of perjury that the foregoing is true and correct.


Steve Parker
Parole Agent